

III. REMARKS

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Jaisimha.

It has been previously argued that Jaisimha does not teach the making of a message, and especially a multimedia message. Jaisimha only discloses that information can be received with an HTTP request and loaded to a user's computer which operates a web browser and displays the received information as an HTML page. That is not a message intended for the user.

It was also pointed out that a Multimedia Message Service Centre MMSC cannot be found in FIG. 3. It merely shows a web server which transmits via internet contents of a web page to a user's computer operating a web browser. FIG. 3 does not give any indication on transmission of multimedia messages.

The Examiner says that Jaishima really discloses a presentation model (SMIL) and also the MMSC (web server of FIG. 5 which transmits multimedia contents to a client). Applicants argued that Jaishima does not disclose the term message but the Examiner also disagrees with that. He points out that Jaishima mentions the term message on col. 8, lines 15-26. It is true that the term exists on col. 8, line 22, but it is used as a general term for information transmitted between programs running on the same or on different computers. The Examiner thus considers the term message as any message. When actually what is mentioned on col. 8, lines 19-23, of Jaishima is that "the web server and the media server may run on a single computer or may run on different computers connected in any manner wherein a program on one can send messages to a program running on the other". This means

that the web server program running on one computer and the media server program running on the other computer can send messages to each other. This indicates that because the programs are running on different computers they need to exchange information by sending messages to each other. This part of Jaishima does not teach that the messages could be multimedia messages or user messages. The definition of the multimedia message can be found on the following links (also enclosed with this amendment):

<http://www.nokia.com/nokia/0,,400,00.html>

<http://www.openmobilealliance.org/tech/affiliates/licenseAgreement.asp?DocName=/wap/wap-205-mmsarchoverview-20010425-a.pdf>

In the light of the above references, the applicants submit that the generalization that the multimedia message can be any message is unjustified. The multimedia message transmission is not the same as streaming transmission of Jaishima in which a media file is first selected and then transmitted from the media server to the web server and further to the client. The messages used in this streaming application are not multimedia messages or user messages.

In particular, Jaishima does not teach user messages. In the present invention, a multimedia message addressed to one or more recipients (users) arrives to MMSC which delivers the multimedia message to the user(s). The user does not necessarily browse in the Internet to find multimedia messages, but the MMSC transmits the multimedia message to the user (or a notification of a reception of a multimedia message addressed to the user). In Jaishima the user browses in the Internet to find a media file to be loaded to the user's terminal.

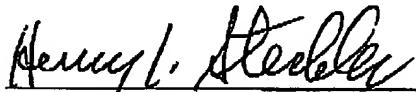
Independent claims 1, 12, 21 and 22 now all recite "user message" many times. Since this is not in Jaisimha, the rejection of claims 1-23 under 35 U.S.C. 102 on the reference should be withdrawn.

Further, since there is no suggestion of the user concept in Jaisimha, these claims are unobvious over it.

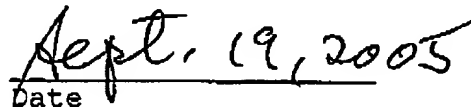
For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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Enclosure

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